

SCOTTSDALE

# CITY COUNCIL MEETING

## AGENDA



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### COUNCIL

Mary Manross, Mayor

Betty Drake

Wayne Ecton

W.J. "Jim" Lane

Robert W. Littlefield

Ron McCullagh

Kevin J. Osterman

Tuesday, September 21, 2004

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**5:00 P.M.**

### **MARKED AGENDA**

#### **CITY COUNCIL MEETING**

**Call to Order** – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard – **5:02 P.M.**

**Roll Call** – **ALL PRESENT**

**Pledge of Allegiance** – **GIRL SCOUT TROOP #25 FROM HOPI ELEMENTARY SCHOOL**

**Invocation** – **PASTOR RUDY JACKSON OF MORNINGSTAR LIFE CHURCH**

#### **Presentations/Information Updates**

Recognition of the 2004 Treasures and Trash Coloring Contest Winner and Upcoming Event by the Scottsdale Pride Committee – **MS. CHANDRA BONFIGLIO INTRODUCED THE WINNER, MS. JESSICA HAMMIT-SCHILTZ**

#### **Boards, Commissions and Task Forces**

##### **Appointments**

Airport Advisory Commission (1) – **LEONARD TINNAN**

Enhanced Municipal Services District Commission (1) – **SALLY SHAFER**

Human Services Commission (2) – **JEANNINE BERG AND DIANE FAUSEL**

Judicial Appointments Advisory Board (3) – **DAN SCHMIDT, GORDON GRILLER, AND CHRISTOPHER LONN**

Library Board (1) – **JUDITH LEWIS**

Neighborhood Enhancement Commission (1) – **PATTY BADENOCH**

Parks and Recreation Commission (2) – **KEMP ELLIS AND RON KING**

Scottsdale Pride Committee (1) – **ROSANNA ORGAN**

**Public Comment – GEORGE KNOWLTON – REQUESTED A CHANGE IN THE APPOINTMENT PROCESS FOR BOARDS AND COMMISSIONS; MIKE AROISI – STRESSED THE IMPORTANCE OF PROTECTING POLICE OFFICERS**

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. Please check the box that refers to "public comment." This "public comment" time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items.

**Minutes – OK – 7/0**

**SPECIAL MEETINGS**

**REGULAR MEETINGS**

August 30, 2004

August 31, 2004

**EXECUTIVE SESSIONS**

June 10, 2004

June 15, 2004

July 7, 2004

**How the Consent Agenda Works:** The Council may take one vote to act on all items on the Consent Agenda, or may remove items for further discussion. Every interested citizen will have one opportunity to speak on any or all Consent Agenda items. If you wish to speak on these items, please complete a comment card for each topic you wish to address. **You will be given at least three minutes to speak on all the Consent Agenda items you wish to address. Additional time for multiple agenda items will be at the Mayor's discretion.**

After all speakers have finished, the City Council will decide which items to remove for additional discussion and/or presentation from staff. Items not removed from the Consent Agenda will be considered in one motion. Items removed for clarification or discussion by the Council will be acted on as appropriate.

**1. Swamp Stomp Liquor License – WITHDRAWN**

**Request:** To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a person to person transfer of a series 6 (bar) liquor license to a location currently operating with an interim permit.

**Location:** 10201 N. Scottsdale Road Ste. 1-7

**Reference:** 48-LL-2004

**Staff Contact(s):** Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Bob Bushfield, Plan Review and Permit Services Director, 480-312-7096, [bbushfield@scottsdaleaz.gov](mailto:bbushfield@scottsdaleaz.gov)

**2. Babes Cabaret Liquor License – OK - C**

**Request:** To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a person transfer of a series 6 (bar) liquor license. This location is currently operating with an interim permit.

**Location:** 2011 N. Scottsdale Road

**Reference:** 53-LL-2004

**Staff Contact(s):** Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Bob Bushfield, Plan Review and Permit Services Director, 480-312-7096, [bbushfield@scottsdaleaz.gov](mailto:bbushfield@scottsdaleaz.gov)

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## 3. **Sprouts Farmers Market Liquor License – OK - C**

**Request:** To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a person and location transfer of a series 7 (beer & wine bar) liquor license to an existing location currently operating with a series 10 (beer & wine store) license.

**Location:** 9301 E. Shea Boulevard Ste. 132

**Reference:** 59-LL-2004

**Staff Contact(s):** Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Bob Bushfield, Plan Review and Permit Services Director, 480-312-7096, [bbushfield@scottsdaleaz.gov](mailto:bbushfield@scottsdaleaz.gov)

## 4. **Target #936 Liquor License – OK - C**

**Request:** To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a new series 10 (beer & wine store) liquor license for an existing department store currently operating without a liquor license.

**Location:** 15444 N. Frank Lloyd Wright Boulevard

**Reference:** 61-LL-2004

**Staff Contact(s):** Kroy Ekblaw, Planning and Development Services General Manager, 312-480-7064, [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Bob Bushfield, Plan Review and Permit Services Director, 480-312-7096, [bbushfield@scottsdaleaz.gov](mailto:bbushfield@scottsdaleaz.gov)

## 5. **DC Ranch Parcel 6.1 Final Plat – OK - C**

**Request:** Approve final plat for a 20-lot single-family residential subdivision on a 61.93+/- acre parcel.

**Location:** DC Ranch Parcel 6.1 north and east of Thompson Peak Parkway and Desert Camp Drive

**Reference:** 7-PP-2004

**Staff Contact(s):** Kroy Ekblaw, Planning and Development Services General Manager, 312-480-7064, [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov); Randy Grant, Chief Planning Officer, 480-312-7995, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov); Tim Curtis, Project Coordination Manager, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)

## 6. **Funding for the LINKS Community Collaborative – OK - C**

**Request:** Consider adopting Resolution No. 6538 to authorize signature authority and an expenditure of \$42,000 from the operating budget for agreements relating to the LINKS Community Collaborative.

This action will renew the City's commitment to LINKS for the 2004-05 fiscal year.

**Related Policies, References:** Resolution Nos. 4397, 4911, 5351, 5883, 6129 and 6372

**Staff Contact:** Judy Register, Citizen and Neighborhood Resources General Manager, 480-312-2454, [jregister@scottsdaleaz.gov](mailto:jregister@scottsdaleaz.gov)

## 7. **Grant Acceptance to Purchase Police Crime Lab Equipment – OK - C**

**Request:** Adopt Resolution No. 6532 authorizing the Police Department to accept the Arizona Criminal Justice Commission Full-Service Forensic Crime Laboratory Grant Program One-Year Grant #2004-133-COS in the amount of \$77,960. The grant will allow the Police Department to purchase microanalysis instrumentation needed to enhance the trace evidence analysis within the Crime Laboratory. The grant was anticipated and included in the approved FY 04/05 budget. There are no city cost-sharing requirements.

**Staff Contact(s):** Alan Rodbell, Chief of Police, 480-312-5310, [arodbell@scottsdaleaz.gov](mailto:arodbell@scottsdaleaz.gov); Steve Garrett, Forensic Services Division, 480-312-5280, [sgarrett@scottsdaleaz.gov](mailto:sgarrett@scottsdaleaz.gov)

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**8. Construction Bid Award for Improvements of 96<sup>th</sup> Street from Shea Blvd. to Redfield Road and Payment to Arizona Public Service for the related Street Light Installation –**

**OK - C**

**Requests:**

1. Authorize Construction Bid Award No. 04PB148 to Archon, Inc., the lowest responsive bidder, at their unit price bid of \$5,388,000 for the improvements of 96<sup>th</sup> Street from Shea Boulevard to Redfield Road.
2. Authorize payment to Arizona Public Service (APS) in the approximate amount of \$335,000 for the installation of a street light system for this street segment.

**Staff Contact(s):** Al Dreska, Municipal Services General Manager, 480-312-5555, [adreska@scottsdaleaz.gov](mailto:adreska@scottsdaleaz.gov); Corey E. Lew, Project Manager, 480-312-7769, [clew@scottsdaleaz.gov](mailto:clew@scottsdaleaz.gov)

**9. WestWorld ATM Vendor License Agreement – OK - C**

**Request:** Adopt Resolution No. 6551 authorizing License Agreement No. 2004-140-COS with 13, LLC, dba ACM Quick Cash to provide automated teller machine services at WestWorld.

**Related Policies, References:**

- Cost-Sharing and Land Use Agreement with the Bureau of Reclamation
- 20-ZN-1995#2, WestWorld Development Plan Update, 3/4/2003

**Staff Contact(s):** Al Dreska, Municipal Services General Manager, 480-312-5555, [adreska@scottsdaleaz.gov](mailto:adreska@scottsdaleaz.gov); Stan Seigal, Asset Management Coordinator, 480-312-7042, [sseigal@scottsdaleaz.gov](mailto:sseigal@scottsdaleaz.gov)

**10. Engineering Services Contract for the Design of Hayden Road and Shea Boulevard Intersection Improvements – OK - C**

**Request:** Authorize Engineering Services Contract No. 2004-114-COS with Stantec Consulting Inc., in the amount of \$161,298 for the design of the Hayden Road & Shea Boulevard Intersection Improvements.

**Related Policies, References:** FY 2004/05 Capital Improvement Plan

**Staff Contact(s):** Al Dreska, Municipal Services General Manager, 480-312-5555, [adreska@scottsdaleaz.gov](mailto:adreska@scottsdaleaz.gov); Robert M. Johnson, Project Manager, 480-312-7054, [rmjohnson@scottsdaleaz.gov](mailto:rmjohnson@scottsdaleaz.gov)

**11. Engineering Services Contract for the Design of Hayden Road and Via de Ventura Intersection Improvements – OK - C**

Authorize Engineering Services Contract No. 2004-115-COS with Parsons Brinckerhoff Quade & Douglas, Inc., in the amount of \$154,400 for the design of the Hayden Road and Via de Ventura Intersection Improvements.

**Related Policies, References:** FY 2004/05 Capital Improvement Plan

**Staff Contact(s):** Al Dreska, Municipal Services General Manager, 480-312-5555, [adreska@scottsdaleaz.gov](mailto:adreska@scottsdaleaz.gov); Robert M. Johnson, Project Manager, 480-312-7054, [rmjohnson@scottsdaleaz.gov](mailto:rmjohnson@scottsdaleaz.gov)

**12. Engineering Services Contract for the Design of Indian School Road Improvements – OK - C**

**Request:** Authorize Engineering Services Contract No. 2004-116-COS with Dibble & Associates, in the amount of \$649,476 for the design of the Indian School Road Improvements.

**Related Policies, References:**

- FY 2004/05 Capital Improvement Plan
- Bond 2000

**Staff Contact(s):** Al Dreska, Municipal Services General Manager, 480-312-5555, [adreska@scottsdaleaz.gov](mailto:adreska@scottsdaleaz.gov); Robert M. Johnson, Project Manager, 480-312-7054, [rmjohnson@scottsdaleaz.gov](mailto:rmjohnson@scottsdaleaz.gov)

**13. Lease Agreement for the CAP Water Connection Project - Shea Blvd. to McDonald Drive – OK WITH CHANGE - C**

**Request:** Adopt Resolution No. 6486 authorizing Lease Agreement No. 2004-039-COS with ADOT for right-of-way from Shea Boulevard to McDonald Drive, at the appraised value of \$209,200, for the CAP Water Connection Project.

**Related Policies, References:**

- a. Council approved the 2001 Water Resources Master Plan on October 15, 2001.
- b. Council approved Engineering Services Contract 2002-073-COS for conceptual design of CAP Water Connection project and Chaparral WTP Waterlines project with HDR Engineering, Inc., on July 1, 2002.
- c. Council approved Engineering Services Contract Modification 2002-073-COS-A for final design of the CAP Water Connection project and Chaparral WTP Waterlines project with HDR Engineering, Inc., on April 14, 2003.
- d. Council approved Construction Bid Award No. 04PB064 to Achen-Gardner Engineering, LLC, for construction of the CAP Water Connection Project and influent and distribution waterlines associated with the Chaparral WTP, on June 22, 2004.

**Staff Contact(s):** Al Dreska, Municipal Services General Manager, 480-312-5555, [adreska@scottsdaleaz.gov](mailto:adreska@scottsdaleaz.gov); Doreen Song, P.E. Project Manager, 480-312-2367, [dsong@scottsdaleaz.gov](mailto:dsong@scottsdaleaz.gov); Stanley F. Seigal, Asset Management Coordinator, 480-312-7042, [sseigal@scottsdaleaz.gov](mailto:sseigal@scottsdaleaz.gov); Rhonda Thomas, Right of Way Agent, 480-312-7847, [rthomas@scottsdaleaz.gov](mailto:rthomas@scottsdaleaz.gov)

**14. Engineering Services Contract for the Design of the Crosscut Canal Multi-Use Path Improvements – OK - C**

**Request:** Authorize Engineering Services Contract No. 2004-131-COS with HDR Engineering, Inc., in the amount of \$282,256 for the design of the Crosscut Canal Multi-Use Path Improvements.

**Related Policies, References:** FY 2004/05 Capital Improvement Plan

**Staff Contact(s):** Al Dreska, Municipal Services General Manager, 480-312-5555, [adreska@scottsdaleaz.gov](mailto:adreska@scottsdaleaz.gov); Doreen Song, P.E., Project Manager, 480-312-2367, [dsong@scottsdaleaz.gov](mailto:dsong@scottsdaleaz.gov)

**15. Changes to Limits on Wastewater Discharges to the City of Scottsdale Sanitary Sewer System – OK - C**

**Request:** Adopt Resolution No. 6548 and Ordinance No. 3586 amending the Municipal Code relating to local limits of wastewater discharges to the City's sanitary sewer system.

**Related Policies, References:** "Final Report - 2004 Local Limits Update" SROG Phase II Local Limits Assistance, Malcolm Pirnie, Inc.

**Staff Contact(s):** David M. Mansfield, Water Resources General Manager, 480-312-5681, [dmansfield@scottsdale.az.gov](mailto:dmansfield@scottsdale.az.gov); Harry Tolmachoff, Water Quality Specialist, 480-312-8749, [htolmachoff@scottsdale.az.gov](mailto:htolmachoff@scottsdale.az.gov)

**Public Comment – DARLENE PETERSEN – DISAGREED WITH MR. KNOWLTON'S REQUEST TO RESTRICT ACTIVISTS FROM BEING APPOINTED TO THE BOARDS AND COMMISSIONS. SHE URGED COUNCIL TO MOVE FORWARD ON ISSUES DISCUSSED AT COUNCIL'S RETREAT.**

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. This "public comment" time is reserved for citizen comments regarding non-agendized items. No official Council action will be taken on these items.

**City Manager's Report - NONE**

## Mayor and Council Items

1. Consideration of a request from Councilman W. J. "Jim" Lane to create a City Council Subcommittee on Public Safety.  
**MOTION TO FORM SUBCOMMITTEE – DIED FOR LACK OF A SECOND  
MOTION TO CONTINUE TO UNDETERMINED DATE – OK – 5/2 (KO/JL)**
2. Consideration of a request from Councilman Ron McCullagh to amend the Sign Ordinance to eliminate signs (political signs) in the public right-of-way.  
**MOTION TO SEND THIS ITEM TO STAFF TO STUDY THE POSSIBILITY OF ELIMINATING POLITICAL SIGNS IN THE PUBLIC RIGHT-OF-WAY & RESEARCH ISSUES**  
  
**AMENDMENT TO AMEND THE SIGN ORDINANCE TO FURTHER RESTRICT OR PROHIBIT SIGNS IN THE PUBLIC RIGHT-OF-WAY ACCEPTED BY MAKER OF THE MOTION – OK - 6/1 (RL)**
3. Consideration of a request from Vice Mayor Robert Littlefield to remove the Los Arcos Redevelopment District designation. **– NO ACTION TAKEN BY COUNCIL**

**Adjournment – 7:03 P.M.**

Section 2.17 of the Scottsdale City Code states, "Regular Meetings that are scheduled to be conducted on consecutive days may be combined and held on either of the two (2) days, at the election of the council, and shall be considered a single meeting." The Council may hold over any items noticed on the Monday agenda to the agenda for the Tuesday meeting.